

(Counsel listed on following page)

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FERNANDO DE SAUSA and JESSICA  
SHUM on behalf of themselves, in the interest  
of the general public and as a Private Attorney  
General,

Plaintiffs,

vs.

HSBC BANK U.S.A., N.A.; HSBC USA,  
INC.; and HSBC NORTH AMERICA  
HOLDINGS, INC.,

Defendants.

CASE NO. CV12-05081-TEH

**STIPULATION AND ~~PROPOSED~~  
ORDER TO CONTINUE THE INITIAL  
CASE MANAGEMENT CONFERENCE  
PENDING PRIVATE MEDIATION**

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Attorneys for Defendants  
HSBC BANK U.S.A., N.A., HSBC USA, INC., and HSBC  
NORTH AMERICA HOLDINGS, INC.

1 The parties to this litigation, by and through their respective attorneys of record, hereby  
2 submit this stipulation and [proposed] order to continue the Initial Case Management Conference  
3 which is currently scheduled to be held on December 2, 2013, at 1:30 p.m., to a date to be  
4 scheduled at the Court's convenience no earlier than March 3, 2014 for the reasons set forth  
5 below.

6 WHEREAS, the Initial Case Management Conference in this action currently is scheduled  
7 for December 2, 2013, at 1:30 p.m.;

8 WHEREAS, the parties have agreed to hold a mediation at JAMS before the Honorable  
9 William J. Cahill on January 24, 2014. The parties already have discussed the types of data and  
10 documents to exchange confidentially and informally prior to mediation for purposes of  
11 facilitating settlement negotiations;

12 WHEREAS, the parties have agreed to mediate, as part of the same mediation described  
13 immediately above, the claims of another individual who is not a party to this lawsuit but for  
14 whom the undersigned have entered into a statute of limitations tolling agreement to facilitate  
15 mediation;

16 WHEREAS, the parties wish to exhaust attempts to resolve this matter through mediation  
17 before addressing fact and expert discovery cutoffs and a trial date and, as such, wish to postpone  
18 the Initial Case Management Conference until after the mediation session.

19 Accordingly, the parties to this matter, by and through their respective attorneys of record,  
20 hereby stipulate to and jointly request that the Initial Case Management Conference be continued  
21 to March 3, 2014, at 1:30 p.m. or such other date as is convenient for the Court.

22 SO STIPULATED.  
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1 DATED: November 20, 2013

TOMAS E. MARGAIN  
JUSTICE AT WORK LAW GROUP

2  
3 By: \_\_\_\_\_/s/

TOMAS E. MARGAIN

4 Attorneys for Plaintiffs  
FERNANDO DE SAUSA and JESSICA SHUM

5  
6 DATED: November 20, 2013

E. JEFFREY GRUBE  
PAUL HASTINGS LLP

7 By: \_\_\_\_\_/s/

E. JEFFREY GRUBE

8 Attorneys for Defendants  
9 HSBC BANK U.S.A., N.A., HSBC USA, INC., and  
10 HSBC NORTH AMERICA HOLDINGS, INC.  
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~~Proposed~~ Order

Good cause appearing, the Initial Case Management Conference scheduled for December 2, 2013 shall be continued to March 3, 2014, at 1:30 p.m. The Initial Case Management Conference Statement shall be filed on or before February 24, 2014.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: 11/21/2013

  
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THELTON E. HENDERSON  
UNITED STATES DISTRICT JUDGE